

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Carlyne Desir

Plaintiff(s)

MAGISTRATE JUDGE JAMES ORENSTEIN
CV 18-2630

vs.

Florida Capital Bank, N.A., THE BANK OF NEW YORK Mellon FKA The Bank New York, (CWALT 2006-31CB), Bank of America, Bayview Loan Servicing, LLC, Frenkel Lambert Weiss Weisman & Gordon, LLP, STEWART TITLE, JP MORGAN CHASE BANK, N.A, and Mortgage Electronic Registration Systems, Inc. (MERS)

Defendant(s)

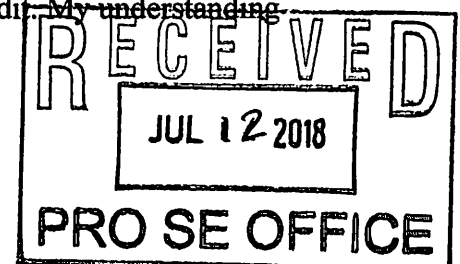
I Carlyne Desir have personal firsthand knowledge of the facts and competent to testify to the true of the following facts if call in witness. Carlyne Desir does hereby solemnly swear, declare, and state the facts on the record:

AFFIDAVIT OF FACTS:

Defendant Chase was involved and caused plaintiff Carlyne Desir harm and violated plaintiff's rights by the following facts.

Bad faith (intent to deceive) and **FRAUD** (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party. False suit, false act. Defendant collected debt/loan, money (monthly payments) from Plaintiff on the basis of fraud. Defendant Chase specific allegations of wrongdoing:

1. Misrepresentation of a material fact (credit not loan, **TILA Exhibit A**)
2. Knowledge on the part of the accused that they were misrepresenting the fact
3. The misrepresentation was made purposefully, with the intent of fooling the victim plaintiff Carlyne Desir
4. The victim Plaintiff Carlyne Desir believed the misrepresentation and relied upon it
5. The victim Plaintiff suffered damages as a result of the misrepresentation
6. Concealed material facts from plaintiff Carlyne Desir
7. Failure of consideration to plaintiff, NO LOAN for \$83,000, 00. Plaintiff signature monetize the original promissory note.
8. JP MORGAN CHASE BANK, N. collected monthly payments from plaintiff for a loan Chase did not give and reported on plaintiff credit report they give a loan which was false (**credit report exhibit B**).
9. Plaintiff Truth in Lending Act (TILA) disclosure shows credit, no loan
10. Chase advertises on their website for "home loan" not credit. My understanding was that I was getting a loan (**advertisement Exhibit C**).
11. FRAUD

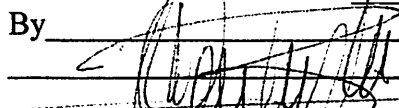


12. An Unrebutted Affidavit stands as Truth



Carlyne Desir

Subscribed before me this 16 day of July, 2018.

By , Notary Public presented.

My Commission Expires

Executed in the presence of:



(Seal)